

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHELSEA HENKEL, on behalf of herself and others similarly situated	:	Civil No. 3:15-CV-01435
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
HIGHGATE HOTELS, LP, and COVE HAVEN INC.,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 25th day of November, 2020, in accordance with the accompanying memorandum, **IT IS ORDERED** that Defendants’ motion for partial summary judgment, Doc. 139, is **GRANTED IN PART AND DENIED IN PART** as follows:

- 1) The motion is **GRANTED** in Defendants’ favor as to Plaintiffs’ Fair Labor Standards Act and Pennsylvania Minimum Wage Act claims for unpaid minimum wages (Counts 1 and 3 of the fourth amended complaint), Plaintiffs’ claim for breach of contract to an express third-party beneficiary (Count 5 of the fourth amended complaint), Plaintiffs’ claim for breach of contract to an intended third-party beneficiary (Count 6 of the fourth amended complaint), and Plaintiffs’ conversion claim (Count 8 of the fourth amended complaint).

- 2) The motion is **DENIED** as to Plaintiffs' unjust enrichment claim (Count 7 of the fourth amended complaint).
- 3) The remaining claims before the court are claims for unpaid overtime wages in violation of the Fair Labor Standards Act (Count 2 of the fourth amended complaint) and the Pennsylvania Minimum Wage Act (Count 4 of the fourth amended complaint), as well as unjust enrichment (Count 7 of the fourth amended complaint).

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania